

**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Petitions of the Verizon Telephone Companies)	Docket No. 06-172
For Forbearance Pursuant to 47 U.S.C. § 160(c))	
In the Boston, New York, Philadelphia,)	
Pittsburgh, Providence and Virginia Beach)	
Metropolitan Statistical Areas)	

MOTION FOR EXTENSION OF TIME

Pursuant to Section 1.46 of the Commission's Rules, 47 C.F.R. §1.46, COMPTEL hereby requests that the Commission extend the deadline for the filing of comments and reply comments in the above captioned proceeding until 30 and 45 days, respectively, after the Commission rules on the pending Motion to Dismiss filed by ACN Communications Services, Inc., *et al.*, and Motion to Compel Disclosure of Confidential Information Pursuant to Protective Order filed by Broadview Networks, Inc., *et al.* There is good cause for granting the extension and no parties, including Verizon, will be prejudiced by the additional time. The one year statutory window for the Commission to act on the Verizon Forbearance Petitions does not close until September 2007 and Verizon has not asked for expedited treatment.

The Motions raise significant issues with respect to Verizon's filings. Under the present schedule, Comments on Verizon's Petitions are due December 15, 2006 and Reply Comments January 26, 2007. Delaying these filing deadlines until after the Commission rules on the pending Motions is justified for several reasons. First, when

the Commission invited comment on the Motion to Dismiss and the Motion to Compel, it simultaneously extended the original comment filing deadlines on its own motion “[i]n the interest of developing a thorough and complete record in this proceeding.”¹ The Commission determined that the extension would “allow adequate time to resolve the issues raised by the CLEC parties, and should help minimize the piecemeal submission of arguments and analysis in the form of *ex parte* submissions after the reply comment deadline.”² Because the Commission has not yet resolved the issues raised by the CLEC parties in the Motions, the circumstances that the Commission found warranted the original extension continue to exist. In the interest of developing a thorough and complete record and minimizing the piecemeal submission of arguments and analysis in the form of *ex parte* submissions after the reply comment deadline, the Commission should extend the time for filing comments and reply comments for a reasonable period after the Commission acts on the Motions.

Second, if the Commission grants the Motion to Dismiss, there will be no need to comment on the Petitions as currently drafted and filed. Rather than require interested parties to engage in a futile exercise, it would be far more expedient for the Commission to postpone the filing deadlines until after it has resolved the issues raised in the Motion to Dismiss.

Third, if the Commission grants the Motion to Compel and requires Verizon to make available to parties who have executed the Protective Order the third party carrier

¹ *Wireline Competition Bureau Grants Extension of Time To File Comments on Verizon's Petitions For Forbearance in the Boston, New York, Philadelphia, Pittsburgh, Providence and Virginia Beach Metropolitan Statistical Areas*, WC Docket No. 06-172, DA 06-2057 (released October 18, 2006).

² *Id.*

confidential information cited in its Petitions, that information will not be available until after the current comment filing deadline has passed. Interested parties will need an opportunity to digest and analyze any new information Verizon makes available. Doling out such critical new information on a piecemeal basis after comments, or comments and replies, have been filed will result in the very situation the Commission sought to avoid by granting the original extension of time – *i.e.*, the piecemeal submission of arguments and analyses in the form of *ex parte* submissions after the filing deadlines.

For the foregoing reasons, COMPTTEL respectfully requests that the Commission grant this Motion and postpone the comment and reply comment filing deadlines until 30 days and 45 days, respectively, after the Commission rules on the pending Motion to Dismiss and Motion to Compel.

December 6, 2006

Respectfully submitted,



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